

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

25 MAG 1785

UNITED STATES OF AMERICA

v.

LUIS GODOY,

Defendant.

COMPLAINT

Violations of 18 U.S.C. §§ 641, 1028A,
1344, and 2

COUNTY OF OFFENSE:
NEW YORK

SOUTHERN DISTRICT OF NEW YORK, ss.:

DANIEL ALESSANDRINO, being duly sworn, deposes and says that he is a Cyber Fraud Task Force Officer with the United States Secret Service (“USSS”), and charges as follows:

COUNT ONE

(Theft of Government Funds)

1. From at least in or about November 2023 through at least in or about March 2024, in the Southern District of New York and elsewhere, LUIS GODOY, the defendant, embezzled, stole, purloined, and converted to his use and the use of another, a record, voucher, money, and thing of value of the United States and a department and agency thereof, to wit, the United States Department of the Treasury, which exceeded the sum of \$1,000, and received, concealed, and retained the same with intent to convert it to his use and gain, knowing it to have been embezzled, stolen, purloined, and converted, to wit, GODOY obtained and cashed a United States Department of Treasury check made out to another individual in the amount of \$1,952,981.29.

(Title 18, United States Code, Sections 641 and 2.)

COUNT TWO

(Bank Fraud)

2. From at least in or about November 2023 through at least in or about March 2024, in the Southern District of New York and elsewhere, LUIS GODOY, the defendant, knowingly executed, and attempted to execute, a scheme and artifice to defraud a financial institution, as that term is defined in Title 18, United States Code, Section 20, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such a financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, GODOY engaged in a scheme to make false statements to a particular bank (the “Victim Institution”) in order to obtain funds.

(Title 18, United States Code, Sections 1344 and 2.)

COUNT THREE
(Aggravated Identity Theft)

3. From at least in or about November 2023 through at least in or about March 2024, in the Southern District of New York and elsewhere, LUIS GODOY, the defendant, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, GODOY used and transferred the name and the driver's license identification numbers of another person to commit the theft of Government funds charged in Count One of this Complaint and the bank fraud charged in Count Two of this Complaint.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

4. I am a Cyber Fraud Task Force Officer with the USSS, and I have been personally involved in the investigation of this matter. I base this affidavit on that experience; on my conversations with other law enforcement officials; and on my examination of various reports and records. Because this affidavit is submitted for the limited purpose of demonstrating probable cause, it does not include all the facts I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. As described further below, in or about November 2023, LUIS GODOY, the defendant, opened a bank account under false pretenses and by using fraudulent identification documents, which allowed for the deposit of a stolen United States Treasury check that was made payable to a particular single-member limited liability company (the "LLC") owned and operated by an individual ("Individual-1").

Identification of the Treasury Check Recipient

6. Based on my training, experience, and participation in this investigation, and from my review of publicly available information, I have learned, in substance and in part, that the United States Department of the Treasury issues checks on behalf of various government agencies. Generally, the front of a Treasury check contains the name and address of the recipient.

7. Based on my review of law enforcement records, including records from the Victim Institution, and my discussions with representatives of the Victim Institution and other law enforcement officers, I have learned, in substance or in part, that the United States Department of the Treasury issued a check in the amount of approximately \$1,952,981.29 (the "Treasury Check") to the LLC, with attention to Individual-1.

8. Based on my review of publicly available records from the New York State Department of Health and the New York State Department of State's Division of Corporations, I have learned, in substance and in part, that the LLC is a domestic limited liability company that is registered in New York and operates a nursing and rehabilitation center in Brooklyn, New York. Individual-1 is the sole member and owner of the LLC.

9. Based on my participation in this investigation, my review of law enforcement records and records from the New York State Department of Motor Vehicles, and my discussions with other law enforcement officers, I have learned, in substance or in part, that Individual-1 holds

a particular New York State driver's license (the "Individual-1 Driver's License"). The Individual-1 Driver's License bears Individual-1's name, residential address, and date of birth and a photograph of Individual-1.

LUIS GODOY's Deposit of a Stolen Treasury Check

10. Based on my participation in this investigation, my review of law enforcement records, including name and facial recognition searches in law enforcement databases, records received from the Victim Institution, including a written communication between employees of the Victim Institution, and my discussions with Individual-1, other law enforcement officers, and representatives of the Victim Institution, I have learned the following, in substance or in part:

a. In or about November 2023, LUIS GODOY, the defendant, visited a branch of the Victim Institution located in Manhattan, New York. GODOY spoke with an employee of the Victim Institution, inquired about the types of documents required to open a bank account at the Victim Institution, and told the employee that GODOY planned to deposit a large check.

b. Between on or about November 6, 2023 and November 7, 2023, GODOY sent an employee of the Victim Institution a request to open a bank account accompanied by several supporting documents, including: (i) a notice from the Internal Revenue Service addressed to Individual-1 assigning an employee identification number to the LLC, dated on or about October 23, 2019; (ii) a letter from the New York State Public Health Council consenting to the filing of and attaching the Articles of Organization for the LLC, dated on or about December 5, 2007; and (iii) a "Biennial Statement" for the LLC, signed by Individual-1 and filed on or about December 23, 2013 (collectively, the "Account Opening Documents").

c. In addition, GODOY provided a New York State driver's license, later determined to be fraudulent, *see infra* ¶ 12, bearing Individual-1's name and date of birth (the "GODOY Driver's License"). In addition, the GODOY Driver's License bore the same identification number as the Individual-1 Driver's License, which was issued to and depicts Individual-1, *see supra* ¶ 9. The GODOY Driver's License reflects a residential address and photo that are different from the residential address and photo depicted on the Individual-1 Driver's License.

d. On or about November 7, 2023, an employee of the Victim Institution reviewed the Account Opening Documents and the GODOY Driver's License and opened a bank account for GODOY.

e. On or about November 14, 2023, GODOY walked into a branch of the Victim Institution located in Manhattan, New York and deposited the Treasury Check into GODOY's bank account. Below is a still photo from the Victim Institution's surveillance video depicting GODOY at the branch location on or about November 14, 2023:



f. Between in or about November 2023 and March 2024, approximately \$396,660.49 was spent from GODOY's bank account. Because the only funds that went into GODOY'S bank account were the funds from the Treasury Check (aside from a few "merchant refunds" that appear to be returns of purchases made with Treasury Check proceeds), that approximately \$396,660.49 represented proceeds of the Treasury Check.

g. In or about March 2024, a representative of Individual-1 contacted the Victim Institution and informed an employee of the Victim Institution that a United States Treasury Check made payable to the LLC was stolen and that Individual-1 did not open a bank account at the Victim Institution or deposit the Treasury Check into an account at the Victim Institution.

h. In or about April 2024, upon receiving information that the Treasury Check was wrongfully deposited, the Victim Institution froze the remaining balance of approximately \$1,556,320.77 in GODOY's bank account.

Identification of LUIS GODOY

11. Based on my review of criminal history records for LUIS GODOY, the defendant, including prior arrest photos of GODOY, I have learned the following, in substance and in part:

a. On or about July 30, 2024, GODOY was arrested by local law enforcement officers for forgery and knowingly exhibiting a false government identification, among other things. The below photo was taken in connection with GODOY's July 30, 2024 arrest:



b. On or about August 5, 2024, GODOY was arrested by local law enforcement officers for forgery, identity theft, and possession of a false government identification, among other things. The below photo was taken in connection with GODOY's August 5, 2024 arrest:



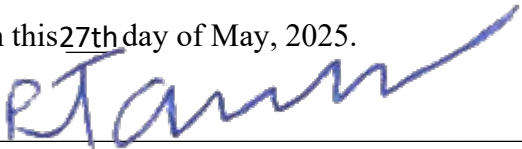
12. Based on my review of LUIS GODOY's prior arrest photos, the surveillance footage from the Victim Institution, and the Account Opening Documents, including the GODOY Driver's License, and my comparison of the GODOY Driver's License and the Individual-1 Driver's License, I believe that GODOY used documents belonging to the LLC and a fraudulent identification of Individual-1 to open a bank account with the Victim Institution and deposit the Treasury Check into that bank account.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of LUIS GODOY, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

/s Daniel Alessandrino by the Court with permission

DANIEL ALESSANDRINO
CYBER FRAUD TASK FORCE OFFICER
UNITED STATES SECRET SERVICE

Sworn to me through the transmission of this Complaint
by reliable electronic means, pursuant to
Federal Rule of Criminal Procedure 4.1,
on this 27th day of May, 2025.


THE HONORABLE ROBYN F. TARNOFSKY
United States Magistrate Judge
Southern District of New York